

**PLANNING COMMISSION
COMMISSIONER'S HEARING ROOM, COUPEVILLE, WA
TUESDAY, JANUARY 28, 2014**

	<i>Members Present</i>	<i>Members Absent</i>
<i>District 1</i>	<i>Val Hillers – Vice Chair</i>	
		<i>Dean Enell</i>
	<i>Mike Joselyn – 2nd Vice Chair</i>	
<i>District 2</i>	<i>Jeffery Wallin</i>	
		<i>Anna-Marie Sibon</i>
		<i>Leal Dickson</i>
<i>District 3</i>	<i>Wayne Havens – Chair</i>	
	<i>Beth Munson</i>	
	<i>Scott Yonkman</i>	

Meeting was called to order at 9:03 a.m. by Chair Havens.

Public Meeting – Workshop on I-502 implementation.

ROLL CALL

Beth Munson, Jeff Wallin, Scott Yonkman, Val Hillers, Mike Joselyn, Wayne Havens

MINUTES: December 10, 2013

Commissioner Hillers moved to approve the minutes as written, Commissioner Yonkman seconded, motion carried unanimously.

Planning staff present: David Wechner – Planning Director, Will Simpson – Long Range Planner, Brad Johnson – Long Range Planner

ITEMS FROM THE PUBLIC

Mary Walsh, View Road

Spoke of the Comfort Winery on South Whidbey.

- Last year seven weddings of up to 200 people were held at the winery under a Temporary Use Permit, stating the traffic and the amplified music at these events made it impossible for the neighbors to enjoy July, August, and Labor Day weekend.
- Spoke of the new policy of the Board of County Commissioners related to temporary event venues for weddings which supersedes Island County Code.
- Neighborhood concerned about the quality of the neighborhood's summer evenings, traffic concerns, safety and felt the absence of the opportunity for public comment in a process that has tremendous impact on the neighbors was very disappointing.

Director Wechner responded to Commissioner Hiller's question regarding what authority the Commission had related to this issue.

- The Planning Commission is a quasi-legislative body, assisting the legislative body of the Island County Commissioners as policy makers.
- If there are issues the Commission wishes to have on the agenda for the upcoming on the Work Program or if the Planning Commission would like the Planning Director to take a closer look at an issue and provide information to the Commission, they can request that.
- The Planning Commission cannot rule on individual permits. Temporary Use Permits under the new policy the Board passed are currently under review and have not as yet been issued.
- The Planning Commission can mull this over and determine if they would like to recommend to the Board of Island County Commissioners to have this item put on the Work Program in the future.

The Commission indicated the balance of Economic Development and the needs of neighbors impacted by such venues were both important items to consider.

DIRECTOR'S REPORT

Long Range Planning staff joined the table to provide an update to the Planning Commission

- Brad Johnson addressed the Shoreline Master Program update (SMP); it has been finished at the local level and is currently waiting on the Department of Ecology's response in order to move forward with the final adoption process.
- The Comprehensive Plan update is a bit behind schedule, but the extra time taken will result in a much better product. Currently the process is at the stage of allocating the 2036 Population Projections. The next stage is the Buildable Land Analysis and making decisions about the Urban Growth Areas.
 - The Transportation Element is part of the Comp Plan Update and is being handled by the Public Works Department. Transportation Forecasting is dependent on knowing how many people and jobs will be in the County in the future, the Department has been working closely with Public Works Department and their consulting team to be sure they are working with the same set of numbers to be sure everything is consistent.
- The Fish & Wildlife Habitat Conservation Area Update (FWHCA). The last comments have come in from the TAG on the Best Available Science and Existing Conditions Report. That item will then come to the Planning Commission for review and comment. The next step would be work on regulations and policies using the results of this study.
- Working on a grant application with DOE to see if the Department can secure funding to assist with the Critical Areas component of the Comp Plan Update.

Commissioner Havens discussed public beach access and road ends related to the SMP. He felt the existing boat ramps should allow the areas to be cleaned out of sand deposits to keep them in working order for the public to have access to the beach.

Mr. Johnson replied that the updated SMP document that was sent to Ecology had very strong policy language related to preserving existing County road ends and ensuring that there is no loss of public access.

Planner Will Simpson discussed the 2014 Work Program. He advised the Commission of the two major projects the Department is committed to is the FWHCA Update and the 2016 Comp Plan Update. In terms of the Docket items, the approach used last year was to try to wrap as many items into the Comp Plan review and update so the issues can be looked at holistically. It is a real opportunity to use our resources in the best manner possible and look at the balance of economic development and property rights.

The formal review of each Element in the Comprehensive Plan is scheduled to occur this year which means each element will be considered in this process, there will be extensive outreach to the public during this process. Each Element will then be discussed with the Planning Commission.

Director Wechner introduced the new Planning Commission member Beth Munson from Camano Island, who provided a brief synopsis of her work history and was welcomed by the rest of the Commission.

OLD BUSINESS – Public Meeting – Continuation of the Workshop on I-502 implementation.

Planning Commission workshops are not meant for a Public Forum. Planning workshops are to inform and familiarize members with issues coming before them and provide an opportunity to exchange ideas. Planning Commission workshops are open to the public to attend, but are not generally an opportunity for public testimony.

Mr. Simpson discussed whether marijuana is an agricultural product or whether it is something else. It is regulated by the State different than any other agricultural product. It is treated as a controlled substance. For the record Island County is considering the recreational production processing and retail sales different than agricultural products.

Mr. Wechner added that Building Codes also treated hemp and cannabis production differently than other agriculture products.

Specific Items discussed:

- It is a controlled substance which presents general Public Health and Safety issues. The Sheriff has expressed concerns related to large amounts of financial transactions.
- After things are clarified at the Federal level and at the State level it could be looked at again within the context of the Comp Plan update, specifically address it and change any development regulations deemed necessary.
- Discussed how other jurisdictions are handling the issue.
- Sales are prohibited as a home industry per Washington Administrative Code.
- Definitions were discussed, many of the definitions are in State Statute and it would be a good idea to refer to State Statute in the County Code. These definitions were reviewed and discussed (WAC 314-55-010).

- Senate Bill 5524 was discussed and the definitions included in that bill related to definitions of such things as what marijuana is, manufacture, marijuana processor, and lot defined as a definite quantity of marijuana, and the requirement that it have a lot number.
- Reference to the International Building Code should also be referenced in the Ordinance related to the use.
 - Whether separate Building Code requirements could be made for production facilities; such as special requirements for energy efficiency or for special chemical processing standards, rather than just the standard Building Code.
 - Building Official will be invited to the next meeting to determine if there are existing standards that could be applicable to this particular use.
- Reference to hazardous chemicals and the special requirements required by the Building Code would important to include.
- Hydroponics and lighting were discussed and are also covered in the Building Code.
- 85% of the applications that have come into the County are in the Rural Zones, which is the most extensive zone in the County.
 - Discussion related to the other zones within the County and whether they would be appropriate.
- The three tiers were discussed and the relationship of the property size to the tier.
- Type I, Type II, and Type III processes were discussed in relation to this particular land use being considered, including whether or not notice to the neighbors should be included in processing these applications.
 - Processing may need to be a Type II or Type III, based on the hazard chemical processing that may be required.
- Threshold size of buildings, setbacks, whether to differentiate between production and processing, and the different types of processing were discussed.
- Discussion around the fact that this use results in a high value cash product and that every time it is moved it can be a security risk.
- Existing minimum lot size of 5 acres in the Rural Zone has setbacks of 20' on front and side, but only 5' in the back and whether the setbacks should be higher for this type of use. The Building Code has provisions for fire walls and the use of hazardous chemicals.
 - New buildings versus existing buildings and whether the standards should be different for each.
- With respect to the fire flow requirements, from the Health Department's perspective the high cost of water tanks required will most likely be keep the buildings being considered to be less than the 4,000 sq. foot threshold.
- Retail was then discussed.
 - Retail is currently allowed in Rural Center, Rural Village, Camano Gateway Village, and Rural Service Zone.
 - Proximity to religious facilities may be an issue for the public.
 - Day care facility onsite may provide protection.

Existing regulations seem to cover many of the concerns. What the Washington State process does not provide, local communities do provide, and that is the opportunity for neighbors at a neighborhood level to comment on an application, perhaps influence the design, access, parking, lighting, noise, etc. It is the balancing act.

Notification to the public was discussed further. The public hearing on this issue will be held in the evening to be sure to get public input on this process.

Commissioner Hillers moved to adjourn, Commissioner Joselyn seconded, motion carried unanimously.

Meeting adjourned at 11:14 a.m.

Respectfully submitted,

Paula Bradshaw